

REMARKS

The Examiner is thanked for the careful examination of the application. However, in view of the foregoing amendments and the remarks that follow, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejection. Claims 12 and 17 have been amended as suggested by the Examiner.

Art Rejections:

Claims 1-5 and 12-14 have been rejected under 35 U.S.C. §103(a) as being allegedly obvious over U.S. Patent No. 5,774,579, hereinafter *Wang*.

Wang discloses a block selection system in which overlapping blocks are “decomposed”. By decomposed, the Examiners attention is directed to columns 11 – 15 of *Wang*. As can be clearly seen in Figs. 15A and 15B, the decomposition involves rearranging the text or images in a block so that they do not overlap. *Wang* does not teach that data is changed.

According to the present invention, if it is determined that the same number is used twice, one of the numbers is changed so that the same number is not used twice and the numbers differ from each other.

In response to the rejection, independent claims 1, 4, and 12 have been amended to more clearly distinguishes over *Wang*. Specifically, the claims now indicate that the data is changed so that the numbers differ from each other. This is clearly not taught by *Wang*, which is not capable of determining if the numbers differ from each other. *Wang* is only concerned with spatial overlaps.

Accordingly, in view of the amendments, the Examiner is respectfully requested to reconsider and withdraw the rejection based on *Wang*.

Claims 6-11 and 15-22 have been rejected under 35 U.S.C. §103(a) as being allegedly obvious over U.S. Patent No. 6,341,176, hereinafter *Shirasaki*.

Shirasaki discloses a method and apparatus for character recognition. *Shirasaki* teaches that after conversion, a full text searching unit performs a full text search and corrects certain data that was not converted properly due to *misrecognition*. See block A7 in Fig. 2. However, *Shirasaki* does not teach or suggest converting a first caption group and a second caption group into a third caption group so that a character string in the first caption group does not overlap a character string in the second caption group.

The last paragraph of claim 6 defines a means for converting a first caption group and a second caption group into a third caption group so that a character string in the first caption group does not overlap a character string in the second caption group. The Examiner does not allege that such a means is taught by *Shirasaki*. Instead, the Examiner refers to §2114 of the MPEP, presumably to argue that functional recitations in an apparatus claim do not need to be given patentable weight. However, §2114 of the MPEP does not apply to means plus function elements authorized by 35 USC 112, sixth paragraph. Under 35 USC 112, sixth paragraph, the function performed by a means plus function element must be considered. If the Examiner persists with the rejection of claim 6 based on *Shirasaki*, the Examiner is respectfully requested to clarify the meaning of the reference to §2114 of the MPEP. The Examiner is also respectfully requested to more clearly explain where *Shirasaki* teaches the last two paragraphs of claim 6.

With regard to claim 9, *Shirasaki* does not teach or suggest a changing means for changing corresponding data in the first document image data and the

second document image data so that the recognized drawing numbers do not overlap each other.

The penultimate paragraph of claim 9 defines a changing means for changing corresponding data in the first document image data and the second document image data so that the recognized drawing numbers do not overlap each other. The Examiner does not allege that such a means is taught by *Shirasaki*. Instead, the Examiner refers to §2114 of the MPEP, presumably to argue that functional recitations in an apparatus claim do not need to be given patentable weight. However, §2114 of the MPEP does not apply to means plus function elements authorized by 35 USC 112, sixth paragraph. Under 35 USC 112, sixth paragraph, the function performed by a means plus function element must be considered. If the Examiner persists with the rejection of claim 9 based on *Shirasaki*, the Examiner is respectfully requested to clarify the meaning of the reference to §2114 of the MPEP. The Examiner is also respectfully requested to more clearly explain where *Shirasaki* teaches the penultimate paragraph of claim 9.

With regard to claim 15, *Shirasaki* does not teach or suggest converting a first caption group and a second caption group into a third caption group so that a character string in the first caption group differs from a character string in the second caption group. Claim 15 has been amended to more clearly defined the conversion unit in structural terms by indicating that the conversion unit is *adapted to* convert a first caption group and a second caption group into a third caption group so that a character string in the first caption group differs from a character string in the second caption group. Thus, claim 15 clearly distinguishes over *Shirasaki*.

With regard to claims 18 and 21, amendments have been made to clarify that the changing unit is adapted to change corresponding data in the first document image data and the second document image data so that the recognized drawing or page numbers differ from each other.

Shirasaki does not teach a changing unit for changing corresponding data in the first document image data and the second document image data so that the recognized drawing or page numbers differ from each other.

Accordingly, claims 18 and 21 also distinguishes over *Shirasaki*.

The remaining rejected claims are dependent claims that depend from the independent claims discussed above. Accordingly, the dependent claims are also patentable over the applied art at least for the reasons set forth above with respect to the independent claims.

Furthermore, with regard to claims 3 and 14, it is not understood how or where Wang teaches that the blocks become serial. Clarification is requested.

In view of the foregoing amendments and remarks, the Examiner is respectfully requested to reconsider and withdraw the rejections.

In the event that there are any questions concerning this amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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